

Regulator model practices and supporting principles	Outline evidence and relevant information to demonstrate the extent to which your regulatory practices supporting principles align with the regulator model practices throughout 2022–23. Outline any actions taken in 2022–23, or currently being taken by your agency, to improve regulatory activities and business practices to reflect the regulator model practices.
<p>1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden</p> <ul style="list-style-type: none"> • A proportionate approach is applied to compliance activities, engagement and regulatory enforcement actions. • Regulations do not unnecessarily impose on regulated entities. • Regulatory approaches are updated and informed by intelligence gathering so that effort is focused towards risk. 	<p>In 2022–23, the RTA maintained ongoing alignment with the:</p> <ul style="list-style-type: none"> • RTA Strategic Plan 2022–26 • RTA Compliance and Enforcement Strategy 2021–23 • Queensland Audit Office Regulatory Recommendations • Regulator Performance Framework. <p>The RTA continued to use a combination of risk-based and outcome-focused approaches to address regulatory priorities and ensure a proportionate approach is applied to compliance and enforcement activities and outcomes, such as:</p> <ul style="list-style-type: none"> • Risk-based approach – undertook an initial risk rating that considered various factors including the seriousness of a potential offence/s, the harm caused, previous non-compliances, vulnerability of affected party etc. • Outcome-focused approach – used in the design of proactive activities to achieve specific outcomes, such as using targeted customer engagement to inform parties about the requirements of the <i>Residential Tenancies and Rooming Accommodation Act 2008</i> (RTRA Act). <p>A risk matrix tool is used during case assessment as a consistent platform to guide investigators in determining the risk categorisation of a case. The matrix is used in conjunction with the judgement of an officer in consultation with their leader.</p> <p>The RTA’s intelligence-led proactive compliance activities ensure resources are directed to the areas identified as greater risk and in the public interest.</p>

2. Consult and engage meaningfully with stakeholders

- Formal and informal consultation mechanisms are in place to allow for the full range of stakeholder input and Government decision making circumstances.
- Engagement is undertaken in ways that help regulators develop a genuine understanding of the operating environment of regulated entities.
- Cooperative and collaborative relationships are established with stakeholders, including other regulators, to promote trust and improve the efficiency and effectiveness of the regulatory framework.

The RTA has continued to increase its inter-agency intelligence and in May 2023, established the Queensland Rental Accommodation Regulators Group (QRARG), consisting of key regulatory stakeholders within the rental sector to collectively work towards achieving consistent and complimentary approaches to compliance.

In the June 2023 QRARG meeting, the group discussed the key insights from the Queensland Audit Office's *Better practices for regulators – taking action* article, and acknowledged that the group's members all contribute to regulating the rental sector and were encouraged to share insights and consider a collaborative approach when undertaking activities to drive compliance.

During 2022–23, the RTA also undertook the following activities to support an increased awareness of the rights and responsibilities of tenants and lessors under the RTRA Act:

- The RTA facilitated two meetings of its Stakeholder Forum and eight meetings of its Stakeholder Working Group to allow the RTA to facilitate cross-sector discussions and collaborations and gain and exchange insights, trends and feedback from stakeholders, and share updates regarding the RTA's strategic and operational priorities.
- Participated in 129 stakeholder engagement activities reaching 5,468 people to educate on tenancy rights and responsibilities.
- Held 39 face-to-face community information sessions across the state, reaching 2,777 people.
- Provided relevant and targeted information to the sector on incoming legislation as part of Stage 1 Rental law reforms, including any additional compliance obligations under the RTRA Act, including requirements associated with minimum housing standards.

The RTA is currently developing new customer-centric processes including a simplified process for the lodgment of common investigation requests, and plans to partner with key sector groups to deliver targeted resources and information to support vulnerable customers.

3. Provide appropriate information and support to assist compliance

- Clear and timely guidance and support is accessible to stakeholders and is tailored to meet the needs of the target audience.
- Advice is consistent and, where appropriate, decisions are communicated in a manner that clearly articulates what is required to achieve compliance.
- Where appropriate, regulatory approaches are tailored to ensure compliance activities do not disproportionately burden particular stakeholders (e.g. small business) or require specialist advice.

In 2022–23, in addition to undertaking proactive and reactive investigations, the RTA initiated two new regulatory activity types: Proactive Compliance Program and compliance monitoring actions.

The Proactive Compliance Program was added to provide a less restrictive manner for the RTA to engage with customers on a compliance matter, providing an informative and less burdensome approach, based on the understanding that voluntary compliance can often be achieved through targeted provision of information.

Throughout 2022–23, the RTA engaged with customers across Queensland, addressing non-compliance with their legislative obligation to pay bonds to the RTA within 10 days of receipt. During the voluntary program, the RTA delivered targeted information sessions and provided ongoing support for bond lodgements, resulting in an increased compliance rate of 51% on average.

In August 2022, the RTA commenced compliance monitoring actions to ensure customers previously investigated for breaching the RTRA Act continued to operate compliantly after their case was closed. This ensured that new practices undertaken by the customer to meet their legislative obligations continue to be embedded and drive ongoing compliance.

For example, in 2023 the RTA proactively investigated a lessor for the offence of failing to advertise a rental premises at a fixed price. The agency participated throughout the RTA's investigation and developed a new procedure for advertising rental properties before the investigation was concluded, where they were issued with a caution (also referred to as a Notice of non-compliance). The RTA's compliance monitoring actions for this case included reengaging the lessor after three months to request evidence that their new procedure had been successfully implemented and monitoring the agency's online advertisements for a three-month period. No further breaches have occurred.

4. Commit to continuous improvement

- Regular review of the approach to regulatory activities, collaboration with stakeholders and other regulators to ensure it is appropriately risk based, leverages technological innovation and remains the best approach to achieving outcomes.
- To the extent possible, reform of regulatory activities is prioritised on the basis of impact on stakeholders and the community.
- Staff have the necessary training and support to effectively, efficiently and consistently perform their duties.

In May 2023, the RTA attended the *Enhancing Investigations & Enforcement Outcomes Online Summit 2023*, which outlined a series of different regulatory approaches taken throughout Australia that detailed best practice regulation, the value of collaboration between regulators, and innovations in technology to assist regulation. The RTA gained valuable insights, which were applied to the development of future compliance activities.

In the June 2023 meeting of the QRARG, members delivered presentations regarding new regulatory activities being undertaken and their impact across the rental sector. Members shared experiences in dealing with compliance issues and emerging trends.

Throughout 2022–23, the RTA continued to upskill its Compliance and Enforcement officers. Training of all officers was undertaken to inform officers of legislative and operational changes arising from rental law changes in October 2022 and September 2023, as part of rental law reforms.

In June 2023, a self-assessment of the RTA's implementation of the *Queensland Audit Office recommendations – Good regulatory practices* was undertaken. An opportunity to further embed risk-based case assessment was identified and changes to increase maturity in this area are progressing. The assessment otherwise found the regulatory practices of the RTA to be fully implemented.

5. Be transparent and accountable in actions

- Where appropriate, regulatory frameworks and timeframes for making regulatory decisions are published to provide certainty to stakeholders.
- Decisions are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions.
- Indicators of regulator performance are publicly available.

In 2022–23, the RTA received 254 investigation requests and commenced 50 proactive investigations. Of these, 197 investigation cases were finalised, with some cases involving multiple offences resulting in the investigation of 764 alleged offences of the RTRA Act.

The RTA publishes details of the RTA’s regulatory performance – including alleged offences investigated and case outcomes – in the RTA Annual Report, where further details of the 2022–23 outcomes can be found.

In line with the guiding principle of transparency, the RTA maintains communication with complainants through each investigation, which also assists to manage expectations. The outcomes and decision reasons are provided as soon as practicable following each investigation. Where a complainant is dissatisfied with an investigation outcome, there are review processes in place either directly with the RTA or through the Queensland Ombudsman.